



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Ding et al. Confirmation No.: 1077
Serial No.: 10/071,400 Art Unit: 3763
Filed: February 7, 2002 Examiner: Michael M. Thompson
For: MEDICAL DEVICE WITH Attorney Docket No.: 10177-111-999
SPONGE COATING FOR (CAM No.: 008563-999109)
CONTROLLED DRUG
RELEASE

TERMINAL DISCLAIMER

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Your Petitioner, **Scott T. Bluni**, represents that he holds the position of Assistant Secretary of **Scimed Life Systems, Inc.**, the assignee of the entire right, title and interest in and to the above identified application, by virtue of a chain of title of the patent application from the inventors of this application to **Scimed Life Systems, Inc.** The above-captioned patent application is a divisional application of parent Application No. 09/060,071, filed April 14, 1998, now United States Patent No. 6,364,856, which was assigned to Schneider (USA) Inc, by virtue of an Assignment which was recorded on April 14, 1998 at reel 9155, frame 0754. Schneider (USA) Inc. assigned its entire right, title and interest in and to the present application to Scimed Life Systems, Inc. by virtue of an Assignment, a copy of which is attached hereto. The Assignment is concurrently filed under separate cover in the United States Patent and Trademark Office, Mail Stop Assignment Recordation Services, for recordation.

Petitioner hereby disclaims the terminal part of any patent granted on the above identified application which would extend beyond the expiration date of U.S. Patent No. 6,364,856, which issued on April 2, 2002 and hereby agrees that any patent so granted on the above identified application shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to U.S. Patent No. 6,364,856.

Petitioner further agrees that this agreement is to run with any patent granted on the above identified application and is to be binding upon the grantee, its successors, and assigns.

Petitioner does not disclaim any terminal part of any patent granted on the above-identified application prior to the expiration date of the full statutory term of U.S. Patent No. 6,364,856 in the event that said patent later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. 1.321(a), has all

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claims canceled by a reexamination certificate, or is otherwise terminated prior to the expiration of its full statutory term, except for the separation of legal title stated above.

Petitioner hereby confirms that he has reviewed the assignment and, to the best of his knowledge and belief, title is in the assignee seeking to take action in this matter and that he is empowered to act on behalf of **Scimed Life Systems, Inc.**

Petitioner hereby declares that all statements made herein of his own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Signed this 4th day of May, 2004.

SCIMED LIFE SYSTEMS, INC.

By: 

Scott T. Bluni
Assistant Secretary

Enclosure